IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

)	
In re:)	
)	Chapter 11
MOUNTAIN EXPRESS OIL COMPANY,)	
et al.,)	Case No. 23-90147 (DRJ)
)	(Jointly Administered)
)	
Debtors. ¹)	

AFFIDAVIT OF WILLIAM L. ROGERS, CHAIRMAN OF THE BOARD OF DIRECTORS PEPSI-COLA BOTTLING CO. OF MCALESTER, INC.

STATE OF OKLAHOMA)	
)	SS
COUNTY OF PITTTSBURG)	

Upon oath duly sworn, I, William L. Rogers, of lawful age and sound mind, state as follows:

I am the Chairman of the Board of Directors of Pepsi-Cola Bottling Co. of McAlester, Inc., an Oklahoma corporation ("PCB").

I have personal knowledge of the facts stated in this Affidavit and the same are true to the best of my knowledge, information, and belief.

The Equipment referred to in the Debtors' Emergency Motion filed in this case on March 27, 2023 [Dkt. 152] (the "Motion") has all been returned to the Debtors' nine (9) convenience store locations from where the Equipment was removed.

¹ A complete list of each of the Debtors in these Chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at www.kccllc.net/mountainexpressoil. The location of Debtor Mountain ipal place of business and the Debtors' service address in these Chapter 11 cases is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

PCB reserves all its rights as a party in interest in this case. PCB has no written contract with the Debtors and is the owner of the Equipment. By returning the Equipment, PCB does not intend to waive any of its rights to the Equipment or to seek any other relief from this Court.

I am the father of Charles Rogers, the CEO of PCB ("Charles"). Charles is presently aboard a boat in the Atlantic Ocean as part of a Pepsi-Cola Corporate event in Florida. As a result, Charles is unable to sign this affidavit. I am therefore signing this affidavit in his absence and on behalf of PCB.

Further Affiant sayeth not.

[Signature follows on separate page.]

William L. Rogers, Chairman of the Board Pepsi-Cola Bottling Co. of McAlester, Inc.,

PUBLIC

Subscribed and sworn to before me this <u>28</u> day of March, 2023.

Notary Public

My Commission No.: 08004541
My Commission Expires: 04-25-24